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REMARKS

A provisional election was made with traverse to prosecute the invention of Group 1, namely Claims 1-6. Applicant hereby confirms this election. Claims 7-11 are withdrawn from the present application. Applicant hereby preserves the right to file one or more appropriate continuing applications directed to these withdrawn claims, and any other unclaimed subject matter of the application.

Claims 1-3, 5, and 6 are rejected under 35 U.S.C. §103(a) as being unpatentable over the admitted prior art in view of Prospero et al. This rejection is respectfully traversed.

Prospero et al. (U.S. 5,520,351) discloses and claims a "Heated *Thread* Tensioner Assembly" which comprises ... "maintaining a moving *string* of *waxed thread* at a tension." (emphasis added). See Claim 1.

Prospero et al. further provides: ... "an efficient system for maintaining tension in *waxed threads or yarns*"... (emphasis added). See Col. 1, lines 63-65.

Prospero et al. further provides: "a system for reducing or eliminating the building-up of wax on tensioner devices used during the winding of *waxed thread* or *yarns*." (emphasis added). See Col. 1, line 66 – Col. 2, line 2.

Additionally, in Figs. 1 and 2 of Prospero et al. shows:

- "thread input opening 120 for receiving *waxed thread* or *yarn* 130"
- "tensioner arm 150, creates a tension in the portion of *string* 130 exiting output opening 140"

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Prospero et al. teaches at Col. 3, line 44 "that the present invention may be used in conjunction with any other types of *waxed threads or yarns*" (emphasis added)

Granted Prospero et al. teaches at Col. 1, lines 25-26 ... "The term 'dental floss' as used herein is defined to include both dental flosses, dental tape, and any similar article." The fact remains that the specific teachings of Prospero et al. are limited to waxed multifilaments like waxed: "threads," string and yarn.

That monofilament tapes, per sé, are radically different in construction from multifilament yarns, threads and strings is abundantly clear as taught at pages 1 and 2 of the present specification, as well as in the 28 U.S. Patents and in the 7 copending patent applications cited by Applicant.

The coated monofilament tapes that are bobbin wound by the method described and claimed in the present invention contain coatings on both sides of the tape at up to between 20 and 120% by weight of the tape — clearly these coated monofilament tapes are radically different from the waxed multifilament threads, string and yarns described by Prospero et al.; and pose a host of bobbin winding challenges not encountered when winding the waxed multifilament threads, string and/or yarns described by Prospero et al.

These differences are dramatically illustrated when a wound bobbin of each type of product is compared visually. See the photograph in the attached Rule 132 Declaration of the present inventor, Michael Schweigert, comparing bobbins of **equal length** of waxed and coated multifilament vs. waxed and coated monofilament dental devices.

According to the Schweigert Declaration, the coated monofilament, prior to being bobbin wound as per the method claims of the present invention, unlike threads, yarns or

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string, tended to slip off the bobbin during winding, thereby interfering with the formation of bobbins of desired length, with resulting increased bobbin tension over the course of the winding - due primarily to the expanded diameter of the coated monofilament tape vs. that of uncoated and/or lightly coated monofilament tape. See the referenced photographs. This increased tension results in bobbins having malformations including being out-of-round, deformed, and the like and/or causing displacement of the coating. The method of the present invention, which comprises combining varying winding speeds (see sketch in the affidavit), along with conditioning of the coated tape, surprisingly overcame these difficulties to produce the commercially acceptable bobbin shapes depicted in the photograph.

Applicant submits that the teachings of Prospero et al. simply fail to present a case of *prima facie* obviousness. The differences between the actual "specific and limited" teachings of Prospero et al. and the presently claimed invention, would simply NOT have been obvious to one of ordinary skill in the art at the time the invention was made. In other words, bobbin winding techniques that would be useful for multifilament waxed dental floss simply do not teach or suggest a method for the bobbin winding of a coated monofilament dental tape, such as presented in the pending claims. The technologies, particularly based on the differences in the materials being processed, are simply too great.

The cited art clearly fails to either teach or suggest the invention defined by the pending claims, and accordingly, this rejection should be reconsidered and withdrawn. Such action is respectfully requested.

The differences between the teachings of the cited art and the invention claimed herein hold true for all of the other pending claims, including:

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With respect to Claim 2, the mere fact that the cited reference includes a teaching regarding the heating of the tensioning mechanism, simply does not overcome the deficiencies of the art as recited above.

With respect to Claim 3, the mere fact that the reference might suggest that the heating was controlled at the tensioning device, simply does not overcome the deficiencies of the art as recited above.

With respect to Claims 5 and 6, the mere fact that coated dental tapes were known at the time the invention was made, simply does not overcome the deficiencies of the art as recited above. The present invention teaches a commercially viable method for the bobbin winding of these materials, a method that was not previously known or used in the field.

Claim 4 is rejected under 35 U.S.C. §103(a) as being unpatentable over the reference as set forth above further taken with Gruber. This rejection is respectfully traversed.

The Gruber patent (U.S. 5,160,561) simply teaches a plurality of thermoplastic impregnated yarns under tension. During winding, the thermoplastic yarn is exposed to a temperature above its melting point but below its degradation temperature. Such temperatures would displace the coating of the present invention and render the dental devices ineffective. This combination of art clearly fails to either teach or suggest the invention defined by the pending claims, and accordingly, this rejection should be reconsidered and withdrawn. Such action is respectfully requested.

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TIME EXTENSION

Applicant hereby petitions for a one-month extension of time in connection with the submission of this response. The original response deadline was February 20, 2004. The extended response deadline is March 22, 2004 (as March 20 is a Saturday).

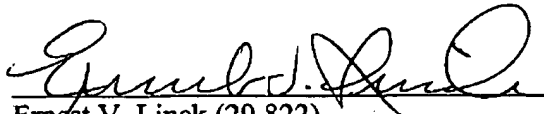
FEE AUTHORIZATION

Please charge all fees associated with this filing (claim fees, time extension fees, etc.) to our Deposit Account – No. 19-0733.

CERTIFICATE OF FACSIMILE TRANSMISSION

The undersigned hereby certifies that this correspondence was submitted by facsimile in the USPTO on the date shown on Page 1.

Respectfully submitted,


Ernest V. Linek (29,822)
Attorney for Applicant

Document No. 96236